BEFORE

THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

PETITION TO INTERVENE	
IN RE: Application of Carolina Water Service, Inc., for adjustment of rates and charges and modification of certain terms and conditions for the provision of water and sewer service)
DOCKET NO. 2011- 47-W/S	

Forty Love Point, a neighborhood near Chapin, South Carolina would respectfully show this Commission as follows:

BACKGROUND

- 1. The Petitioner, Forty Love Point Homeowners' Association, represents a community of approximately 150 households near Chapin, South Carolina.
- 2. The Petitioner is a homeowners' association as defined by South Carolina Code section 12-43-230 and other sections in the South Carolina Code.
- 3. All communications or inquiries regarding this Petitioner should be directed to the following:
 - Joseph "Chip" Timmons
 President, Forty Love Point Homeowners' Association
 407 Match Point Drive
 Chapin, SC 29036
 (803) 407-8335
 - b. Laura P. Valtorta
 Attorney for the Petitioner (and resident of Forty Love Point)
 903 Calhoun Street
 Columbia, SC 29201
 (803) 771-0828
 laurapy@aol.com

OPPOSTION TO RATE INCREASES AND ALL OTHER FEES AND MODIFICATIONS REQUESTED BY CAROLINA WATER SERVICE

4. **POOR WATER QUALITY**. Forty Love Point purchases residential water service and residential wastewater services from Carolina Water Services (also known as "Utilities, Inc.") and has done so since the neighborhood's inception about 20 years ago. At the time the first phase of Forty Love Point was constructed, there was no alternative water service available in the area.

Since the neighborhood was built, Forty Love Point has had complaints about Carolina Water Service: the quality of the water (undrinkable); the hardness of the water, the occurrence of iron bacteria in the water, the chlorine smell, the frequent "boil water" advisories because of breaks in the system, and the poor customer service. Most households purchase bottled drinking water or filter the water before drinking. We have no fire hydrants in the neighborhood.

These problems continue despite complaints to South Carolina Department of Health and Environmental Control, to Carolina Water Service itself, and before this Commission (2006-92-WS).

Upon information and belief, Forty Love Point pays more for its water and wastewater service than neighborhoods approximately half a mile away who have Columbia Water Service.

We oppose the enormous increase in water rates that Carolina Water Service is requesting. Currently we are paying \$11.09 base rate per household and \$3.55 per 1,000 gallons of water. Carolina Water Service's proposal would have us pay a base charge of \$19.87 and \$6.49 per 1,000 gallons of water — an unreasonable increase in light of the fact the fact that Carolina Water Service is violating S.C. Code 58-5-710 et ff. by failing to provide adequate service.

CONNECTION SERVICES.

Forty Love Point has often expressed a desire to switch to another water/wastewater service. Carolina Water Service has succeeded in making this overly expensive for the neighborhood. We strongly oppose any charges for connecting or disconnecting to water/wastewater services as the neighborhood's goal is to acquire water service from the City of Columbia at a reasonable cost. Adding connection and disconnection charges would only increase this burden.

6. NO LIABILITY FOR IMPROVEMENTS IN OTHER NEIGHBORHOODS.

Forty Love Point opposes any payment or increase in payment that would require us to pay for services or improvements in other neighborhoods. Each household should pay for its own individual water/wastewater service, and no more.

7. OFFICE OF REGULATORY STAFF CANNOT FULLY REPRESENT OUR INTERESTS.

While the Office of Regulatory Staff is a commendable organization, they cannot fully represent before this Commission the problems our neighborhood is facing.

The proposed rate increase affects a number of neighborhoods receiving a variety of different services from Carolina Water Service. Each neighborhood has a separate set for problems.

Forty Love Point requests the ability to conduct discovery, present witnesses, present evidence, receive all pleadings and notices including notices of settlement negotiations, and participate fully as a party in this action.

Respectfully submitted by,

/s/ Laura P. Valtorta Laura P. Valtorta, Esquire Attorney for Petitioner 903 Calhoun Street Columbia, SC 29201 (803) 771-0828 (803) 765=9261 fax laurapv@aol.com

Other Counsel of Record: Charles L.A. Terreni, Esquire Terreni Law Firm, LLC 1508 Lady Street Columbia, SC 29201 (803) 771-7228 (803) 771-8778 fax Charles.terreni@terrenilaw.com

Scott Elliott, Esquire Elliott & Elliott, P.A. 1508 Lady Street Columbia, SC 29201 (803) 771-0555 (803) 771-8010 fax